

ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XIX ENTITLED, "PARKS, RECREATION AREAS AND OTHER PUBLIC PLACES"

ORDINANCE NO. 2012-03

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Island Heights, County of Ocean, and State of New Jersey, as follows:

Section 1. Section 19-1.1 of the Code of the Borough of Island Heights entitled, "Hours of Use" is hereby deleted and in its place instead the following shall be inserted:

"No person shall be permitted on any public park or playground between the hours of 10:00 p.m. and 7:00 a.m. unless attending and participating in an activity authorized by the Mayor and Council or as otherwise permitted in this Chapter."

Section 2. Section 19-2.1 of the Code of the Borough of Island Heights entitled, "Naming of Public Docks, Beaches, Fishing Areas and Playing Fields" is hereby amended to delete subsection b. Subsection h is amended to delete the word, "bulkhead" and replace it with "boardwalk." Subsection i is amended to include the word, "playground" between the words, "courts" and "hockey rink." Subsection j shall be deleted and in its place the following shall be inserted:

"j. The area known as the "Borough Complex Field" inclusive of the playground shall continue to be known as "Borough Complex Field" or "Wanamaker Field."

Section 3. Subsection m of Section 19-2.1 of the Code of the Borough of Island Heights shall be deleted and in its place the following shall be inserted:

"The area known as "Triangle Park" is the land lying between River Avenue, West End Avenue, and Lake Avenue."

Section 4. Section 19-2.2 of the Code of the Borough of Island Heights entitled, "Badges Required", is hereby deleted and in its place instead the following shall be inserted:

"No person twelve (12) years of age and over shall be permitted to use the areas set forth in subsection 19-2.1 that allow for bathing, swimming, fishing or

crabbing unless such person shall have on his person and produce for inspection to a duly authorized Borough Official, a badge or other tag issued by the Borough for the privilege of the use of these places. This subsection shall not apply to clubs or organizations who have obtained prior approval from the Governing Body for the use of the areas on designated days and/or hours.”

Section 5. Section 19-2.3 of the Code of the Borough of Island Heights entitled, “Fees” is hereby deleted and in its place instead the following shall be inserted:

“a. Calendar year badges or tags to permit bathing, swimming, fishing or crabbing shall be provided and fees for the same shall be established by the following ranges:

Seasonal Badge or Tag from \$15.00 to \$20.00 After June 1st, \$25.00 to \$35.00.

Weekly Badges \$5.00 to \$10.00.

Monthly Badges after June 1st, \$15.00 to \$20.00.

Daily Badges \$5.00 to \$8.00 per day.

The Mayor and Council shall establish fees within the above ranges by Resolution adopted yearly.

Section 6. Section 19-2.6 of the Code of the Borough of Island Heights entitled, “Regulations” is hereby amended as follows:

a. Subsection a2 is hereby deleted.

b. Subsections b1 and b2 are hereby deleted and in its place instead the following shall be inserted:

“b. Subsection b1, private recreational boats or watercraft, for a period not exceeding 4 hours daily from 7:00 a.m. until dark shall be allowed only upon the area clearly marked on the Central Avenue dock. Additionally, temporary docking (not to exceed 30 minutes) during daylight hours is permitted on the Lake Drive dock. All docking is at the risk at the boat or watercraft owner or operator. There shall be no other temporary docking or loading or unloading or mooring at any Borough bulkhead or dock within the Borough of Island Heights.”

c. Subsection a8 is hereby amended to delete the following words, “protective gear must be worn at all times.”

Section 7. Section 19-2.8 of the Code of the Borough of Island Heights entitled, “Vehicles on Public Beaches, Docks and Boardwalks Prohibited” is hereby amended to retitle this section to read, “Vehicles on Public Beaches, Docks, Boardwalks and Public Recreation and Park Areas.”

Section 8. The first sentence of Section 19-2.8 is hereby deleted and in its place instead the following shall be inserted:

“No person shall bring, operate or park any motor vehicle or trailer upon any public beach, dock, boardwalk area, park area or other recreation area within the Borough unless they receive prior written permission from the Mayor and Council; after submission of the appropriate application.”

Section 9. Section 19-2.9 of the Code of the Borough of Island Heights entitled, “Tents, Buildings and Commercial Enterprises on Public Beaches Prohibited,” is hereby retitled to delete the word, “Beaches” and to insert the word, “Grounds”. The balance of the Section is supplemented by the inclusion of the words, “except for those areas designated by Mayor and Council” at the end of the current sentence.

Section 10. Section 19-2.10 of the Code of the Borough of Island Heights entitled, “Receiving or Discharging Passengers Prohibited on Certain Docks,” is hereby deleted.

Section 11. Section 19-3 of the Code of the Borough of Island Heights entitled, “Tennis Courts,” is hereby amended as follows:

Section 19-3.1 is hereby deleted and in its place instead the following shall be inserted:

“19-3.1 Hours of Use. The hours of the use of the tennis courts at Memorial Field shall be from 7:00 a.m. to 10:00 p.m. daily, or as authorized by resolution of the Mayor and Council.”

Section 19-3.2 entitled, “Tennis Court Badges” is hereby deleted and in its place instead the following shall be inserted:

“19-3.2 Tennis Court Badges. Tennis court badges or tags to permit the use of the tennis courts must be obtained pursuant to subsection 19-2.2 of the Borough Code. Only a Borough resident or their guest (a maximum of 3 guests per resident for doubles on the same court) shall be permitted to use the Borough tennis courts as long as the resident possesses a badge or tag. For a guest to play

he or she must be accompanied by a resident holding the appropriate badge or tag.”

Section 19-3.3 entitled, “Fees,” is hereby deleted and in its place instead the following shall be inserted:

“19-3.3 Fees. “Fees for the tennis court badge or key shall be established within the range of \$30.00 to \$40.00 per season. Request for additional badges by an individual purchasing a key shall be between \$5.00 and \$8.00. Fees shall apply to residents 12 years of age or older.”

The Mayor and Council shall establish fees within the above ranges by Resolution adopted yearly.

Section 19-3.5 entitled, “Other Facilities,” is hereby deleted and in its place instead the following shall be inserted:

“19-3.5 Other Facilities. The hours of use of the playing field and playground area at the Municipal Complex and Memorial Field shall be from 7:00 a.m. to 10:00 p.m. but may be adjusted by resolution of the Mayor and Council. Group or team usage of the field at the Municipal Complex are to be made by request to the Island Heights Recreation Committee which shall be subject to final approval of the Mayor and Council.”

Section 12. Section 19-4.3 of the Code of the Borough of Island Heights entitled, “Prohibited Conduct,” and Section 19-4.4 entitled, “Interpretive Panel,” are hereby deleted.

Section 13. Section 19-5.2 of the Code of the Borough of Island Heights entitled, “Prohibited Conduct,” subsection h is hereby deleted and in its place instead the following shall be inserted:

“h. Use of the Boat Loading and Unloading Ramp shall be permitted during the hours of 5:00 a.m. and 10:00 p.m. unless otherwise permitted by the Mayor and Council.”

Subsection j is amended to read:

“j. Failure to obtain a permit from the Borough of Island Heights for the use of the Boat Loading and Unloading Ramp.”

Section 14. Section 19-5.4 of the Code of the Borough of Island Heights entitled, “Fees,” is hereby amended to delete the first sentence reading, “No permit shall be neither

issued, for neither a commercial use, nor noncommercial use, unless the appropriate fee has been issued in accordance with the following schedule:" is hereby deleted and the following shall be inserted in its place:

'No permit shall be issued for a commercial use or non-commercial use, unless the appropriate fee has been collected in accordance with the following schedule:".

Section 15. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

Section 16. This Ordinance shall take effect immediately upon its final passage and publication as required by law, as well as approval of the Island Heights Planning Board in accordance with the provisions of the Municipal Land Use Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Island Heights, in the County of Ocean, held on the 12th day of June, 2012 and will be considered for second reading and final passage at a regular meeting of said governing body to be held on the 26th day of June, 2012 at 7:00 p.m. at Island Heights New Jersey at which time and place any person desiring to be heard upon the same will be given an opportunity to be so heard.



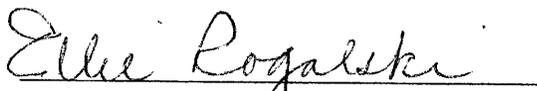
Ellie Rogalski, RMC/CMC

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NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Island Heights, in the County of Ocean, held on the 12th day of June, 2012. **FURTHER NOTICE** is hereby given that said ordinance was considered for final passage and was adopted after a public hearing thereon, at a regular meeting of said governing body held at the Island Heights Municipal Building, East End & Van Sant Avenues, Island Heights, New Jersey on June 26th, 2012.


Ellie Rogalski, RMC/CMC

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